

IC 4-32.2-9

Chapter 9. Security

IC 4-32.2-9-1

Responsibility for security; necessary police powers

Sec. 1. (a) The commission is responsible for security matters under this article. The commission may employ investigators and other individuals necessary to carry out this chapter.

(b) An employee of the commission engaged in the enforcement of this article is vested with the necessary police powers to enforce this article. The police powers granted by this subsection are limited to the enforcement of this article.

(c) An employee described in subsection (b) may not:

- (1) issue a summons for an infraction or a misdemeanor violation of any law other than this article;
- (2) act as an officer for the arrest of offenders for the violation of an Indiana law other than this article; or
- (3) exercise any other police power with respect to the enforcement of any state or local law other than this article.

As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-2

Authorized security powers

Sec. 2. An employee of the commission may do any of the following:

- (1) Investigate an alleged violation of this article.
- (2) Arrest an alleged violator of this article or of a rule adopted by the commission.
- (3) Enter upon the following premises for the performance of the employee's lawful duties:
 - (A) A location where a bingo event, charity game night, raffle, or door prize drawing is being conducted.
 - (B) A location where pull tabs, tip boards, or punchboards are being purchased, sold, manufactured, printed, or stored.
- (4) Take necessary equipment from the premises for further investigation.
- (5) Obtain full access to all financial records of the entity upon request.
- (6) If there is a reason to believe that a violation has occurred, search and inspect the premises where the violation is alleged to have occurred or is occurring. A search under this subdivision may not be conducted unless a warrant has first been obtained by the executive director. A contract entered into by the executive director may not include a provision allowing for warrantless searches. A warrant may be obtained in the county where the search will be conducted or in Marion County.
- (7) Seize or take possession of:
 - (A) papers;
 - (B) records;

(C) tickets;
(D) currency; or
(E) other items;
related to an alleged violation.
As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-3

Investigations

Sec. 3. (a) The commission shall conduct investigations necessary to ensure the security and integrity of the operation of games of chance under this article. The commission may conduct investigations of the following:

- (1) Licensed qualified organizations.
- (2) Applicants for licenses issued under this article.
- (3) Licensed manufacturers and distributors.
- (4) Employees of the commission under this article.
- (5) Applicants for contracts or employment with the commission under this article.

(b) The commission may require persons subject to an investigation under subsection (a) to provide information, including fingerprints, that is:

- (1) required by the commission to carry out the investigation;
or
- (2) otherwise needed to facilitate access to state and criminal history information.

As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-4

State police and other agency assistance

Sec. 4. (a) The state police department shall, at the request of the executive director, provide the following:

- (1) Assistance in obtaining criminal history information relevant to investigations required for honest, secure, exemplary operations under this article.
- (2) Any other assistance requested by the executive director and agreed to by the superintendent of the state police department.

(b) Any other state agency, including the alcohol and tobacco commission and the Indiana professional licensing agency, shall upon request provide the executive director with information relevant to an investigation conducted under this article.

As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-5

Retention of marketing sheets

Sec. 5. A marketing sheet published in connection with a wagering game must be maintained for the lesser of:

- (1) six (6) years after the year in which the marketing sheet was published; or
- (2) the end of an audit in which the marketing sheet and similar records are audited.

As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-6

Destroyed, discontinued, or unusable bingo supplies, punch boards, or tip boards

Sec. 6. (a) This section applies only to products sold in Indiana.

(b) If a licensed manufacturer or distributor destroys, discontinues, or otherwise renders unusable:

- (1) bingo supplies;
- (2) punchboards; or
- (3) tip boards;

the manufacturer or distributor shall provide the commission with a written list of the items destroyed, discontinued, or rendered otherwise unusable.

(c) The list required under subsection (b) must contain the following information concerning the items destroyed, discontinued, or rendered otherwise unusable:

- (1) The quantity.
- (2) A description.
- (3) The serial numbers.
- (4) The date the items were destroyed, discontinued, or rendered otherwise unusable.

(d) Notwithstanding subsection (b), this section does not apply to a product considered defective by the manufacturer or distributor.

As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-7

Requests for records; production deadline

Sec. 7. Records of a manufacturer or distributor must be produced upon request by the commission within seventy-two (72) hours or by another mutually agreed upon time if production of the requested documents within seventy-two (72) hours is impractical or burdensome.

As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-8

Quarterly reports

Sec. 8. A manufacturer or distributor of supplies, devices, or equipment described in IC 4-32.2-3-4(a) to be used in charity gaming in Indiana must file a quarterly report listing the manufacturer's or distributor's sales of the supplies, devices, and equipment.

As added by P.L.91-2006, SEC.3.

IC 4-32.2-9-9

Confidentiality

Sec. 9. Information obtained by the commission during the course of an investigation conducted under this chapter is confidential.

As added by P.L.91-2006, SEC.3.